

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF NORTH CAROLINA  
ASHEVILLE DIVISION  
1:14cv66**

<b>MICHAEL STEVEN AUSTIN,</b>	)
	)
<b>Plaintiff,</b>	)
	)
<b>v.</b>	)
	)
	)
	)
<b>REXON INDUSTRIAL CORP. and</b>	)
<b>POWER TOOLS SPECIALISTS, INC.,</b>	)
	)
<b>Defendants.</b>	)
	)

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**ORDER**

Pending before the Court is the Joint Motion to Extend Expert Discovery [# 25] and Defendants' Supplemental Memorandum [# 26]. Plaintiff had until October 31, 2014, to provide Defendants with their expert reports. (Order, Sept. 19, 2014.) Defendants had until December 5, 2014, to provide Plaintiff with their expert reports. (Id.) Discovery in this case closed on March 1, 2015. (Order, May 8, 2014.) Dispositive motions are due April 1, 2015. (Id.) Trial is set for August 31, 2015. (Id.)

The parties now jointly move to extend the expert discovery deadline as well as the dispositive motion deadline. Without consulting the Court, the parties decided to stay further discovery in this case while they discussed settlement.

Apparently, these settlement discussions ended without the resolution of the case, and the parties now move to extend the discovery and motion deadline. Upon a review of the record and the parties' motion. The Court **DENIES** the motion [# 25].

As a threshold matter, discovery in this case closed more than three weeks prior to the parties even filing the joint motion seeking an extension. The time has passed for seeking extensions of the discovery deadline, including expert discovery. Discovery in this case is closed, and the parties have not provided this Court with sufficient grounds to reopen discovery. The parties had ample time to complete discovery during the Court's discovery period. Moreover, an extension of the dispositive motion deadline until May 15, 2015, would not provide the District Court sufficient time to rule on any motions for summary judgment prior to trial. The Court, however, will provide the parties a brief extension until April 6, 2015, to file any dispositive motions.

Signed: April 1, 2015

Dennis L. Howell

Dennis L. Howell  
United States Magistrate Judge

